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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,933	12/31/2001	Tommy Kristensen Bysted	1076.41046X00	5897

20457 7590 08/16/2005

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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/029,933	BYSTED ET AL.	
	Examiner	Art Unit	
	Raymond S. Dean	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vedrine (US 6,707,808 B1) in view of Terry et al. (US 2003/0086379).

Regarding Claim 1, Vedrine teaches a method of wirelessly transmitting data signals to one of a plurality of mobile stations, each of which can sense the transmitted signal, the method comprising: allocating a locally unique code to a destination mobile station (Column 5 lines 27 – 67); and transmitting a radio block, comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 67).

Vedrine does not teach wherein a whole of said code is included in each of said bursts at a predetermined location therein to indicate to said mobile station that said mobile station is a target for said radio block.

Terry teaches wherein a whole of said code is included in each of said bursts at a predetermined location therein to indicate to said mobile station that said mobile station

is a target for said radio block (Section 0008 lines 11 – 14, the TFCI is configurable thereby enabling said TFCI to be included in each time slot).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the TFCI taught by Terry in the system of Vedrine for the purpose of enabling the mobile station to know which transport channels are active for the current frame thereby enabling said mobile station to properly communicate as taught by Terry.

Regarding Claim 2, Vedrine in view of Terry teaches all of the claimed limitations recited in Claim 1. Terry further teaches wherein said location is static (Section 0008 lines 11 – 14, the TFCI can be configured to be in the same location all the time).

Regarding Claim 3, Vedrine in view of Terry teaches all of the claimed limitations recited in Claim 1. Vedrine further teaches transmitting a further radio block, comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said mobile station (Column 5 lines 27 – 67), wherein the whole of said code is included in each of said bursts at another predetermined location therein to indicate that said mobile station may transmit in the next uplink radio block (Column 5 lines 27 – 67, Column 6 lines 14 – 16, the USF is interleaved over all four of the bursts, which means that a USF value will be designated in all four bursts).

Regarding Claim 4, Vedrine teaches a method of operating a mobile station for the reception of data signals, the method comprising: receiving a locally unique code (Column 5 lines 27 – 67); receiving a burst of a radio block, the radio block comprising a plurality of bursts and conveying data belonging to a plurality of data streams, to said

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mobile station (Column 5 lines 27 – 67); decoding said radio block if the extracted code matches said locally unique code (Column 5 lines 54 – 67)

Vedrine does not teach extracting a code from a predetermined location in said burst and wherein a whole of said code is included at the predetermined location to indicate to said mobile station that said mobile station is a target for said radio block.

Terry teaches extracting a code from a predetermined location in said burst (Section 0008 lines 9 – 14) and wherein a whole of said code is included at the predetermined location to indicate to said mobile station that said mobile station is a target for said radio block (Section 0008 lines 9 – 14).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the TFCI taught by Terry in the system of Vedrine for the purpose of enabling the mobile station to know which transport channels are active for the current frame thereby enabling said mobile station to properly communicate as taught by Terry.

Regarding Claim 5, Vedrine in view of Terry teaches all of the claimed limitations recited in Claim 4. Vedrine further teaches transmitting a radio block comprising a plurality of bursts (Column 5 lines 27 – 67). Terry further teaches each burst containing said extracted code in a predetermined location (Section 0008 lines 11 – 14).

Regarding Claim 6, Vedrine in view of Terry teaches all of the claimed limitations recited in Claim 4. Vedrine further teaches a mobile station including receiving means and processing means (Column 5 lines 27 – 67, in order for the mobile station to

perform these functions said mobile station must have a receiving and processing means thus this is an inherent characteristic).

Regarding Claim 7, Vedrine in view of Terry teaches all of the claimed limitations recited in Claim 5. Vedrine further teaches a mobile station including receiving means and processing means (Column 5 lines 27 – 67, in order for the mobile station to perform these functions said mobile station must have a receiving and processing means thus this is an inherent characteristic).

Conclusion

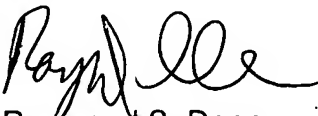
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

On July 15, 2005, the Central FAX Number will change to **571-273-8300**. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and **571-273-8300** will be the only facsimile number recognized for "centralized delivery".

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.


Raymond S. Dean
August 8, 2005

EDAN ORGAD
PATENT EXAMINER/TELECOMM.
